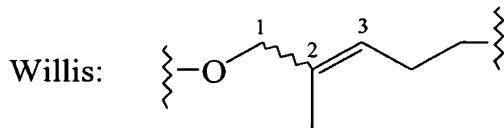


REMARKS

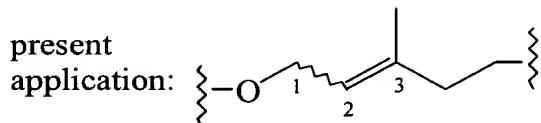
Claims 1-10, pending in this application, are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,510,319 (Willis *et al.*). Applicant respectfully traverses.

Willis is exclusively directed to esters of an allylic alcohol comprising the fragment:



These esters are prepared from certain isopropylidene derivatives according to the process disclosed in column 3, lines 18 to 58.

In contrast, the present compounds of formula (I) are esters of an allylic alcohol comprising the fragment:



These compounds are made by a three step synthesis as disclosed in paragraph [0020] of the published application as well as in the Examples.

Thus, the present compounds differ from the Willis compounds in the position of the methyl group, which is in position 2 in Willis and in position 3 in the present compounds. As this significant structural difference demonstrates, the compounds of the present formula (I) and those disclosed in Willis are clearly different chemicals. Accordingly, the present claims are not anticipated by Willis, and Applicant respectfully requests that the rejection based on this reference be withdrawn.

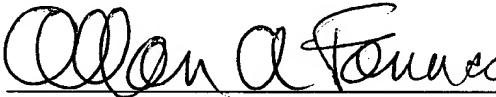
Furthermore, the present compounds cannot be made by the process disclosed in Willis, since none of the starting materials in Willis can be used to produce a compound having a methyl group in position 3. For this reason, the synthesis of the present compounds is not inherent and cannot be obvious from the disclosure of Willis. Instead, the only suggestion to make compounds having a methyl group in position 3 comes from the present specification, but the starting materials of the present invention are completely different from those disclosed in Willis and the applicant uses a different synthesis to make the presently claimed compounds. Therefore, the office action properly does not include an obviousness rejection of the present claims over Willis.

In view of the above, the entire application is believed to be in condition for allowance, early notification of such would be appreciated. Should the Examiner not agree, a personal or telephonic interview is respectfully requested to discuss any remaining issues in order to expedite the eventual allowance of the claims.

Date

12/21/04

Respectfully submitted,


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